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Promotion and protection of all human rights, civil, political, economic, social and cultural rights, including the right to development

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29/... Accelerating efforts to eliminate all forms of violence against women: eliminating domestic violence

The Human Rights Council,

Reaffirming the purposes and principles of the Charter of the United Nations and the Universal Declaration of Human Rights,

Reaffirming also the Convention on the Elimination of All Forms of Discrimination against Women, the Convention on the Rights of the Child and the Convention on the Rights of Persons with Disabilities, and noting the relevant recommendations of the Committee on the Elimination of Discrimination against Women,

Reaffirming further the Vienna Declaration and Programme of Action, the Declaration on the Elimination of Violence against Women, the Beijing Declaration and Platform for Action and the Programme of Action of the International Conference on Population and Development, and the outcomes of their review conferences,

Recalling all relevant resolutions of the Human Rights Council, as well as those of the Commission on Human Rights, on the elimination of all forms of violence against women, and recalling also relevant resolutions of the General Assembly, including its resolution 69/147 of 18 December 2014 on the intensification of efforts to eliminate all

* Non-member State of the Human Rights Council.

forms of violence against women and girls, and those of the Security Council, and relevant resolutions and agreed conclusions of the Commission on the Status of Women,

Recalling also the political declaration adopted by the Commission on the Status of Women at its fifty-ninth session on the twentieth anniversary of the Beijing Declaration and Platform for Action, in which States pledged to take further concrete action to ensure the full, effective and accelerated implementation of the Beijing Platform for Action, and the outcome document of the twenty-third special session of the General Assembly,

Taking note of the resolution, adopted by the World Health Assembly at its sixty-seventh session, on strengthening the role of the health system in addressing violence, in particular against women and girls, and against children, and noting the recent work on the development of a global plan of action to strengthen the role of the health system within a national multisectoral response to address interpersonal violence, in particular against women and girls and against children, building on existing relevant work of the World Health Organization,

Acknowledging the important and useful role that can be played by regional conventions, instruments and initiatives to combat violence against women and girls,

Recognizing that violence against women and girls is rooted in historical and structural inequality in power relations between women and men, and that all forms of violence against women and girls seriously violate and impair or nullify their enjoyment of all human rights and fundamental freedoms and constitute a major impediment to women's full, equal and effective participation in society, the economy and political decision-making,

Gravely concerned that domestic violence, including intimate partner violence, remains the most prevalent form of violence affecting women of all social strata across the world, and emphasizing that such violence is a violation, abuse or impairment of the enjoyment of their human rights and, as such, is unacceptable,

Recognizing that violence against women and girls, including in the domestic sphere, is a form of discrimination that seriously inhibits women's ability to enjoy rights and freedoms on a basis of equality with men,

Recognizing also that violence against women and girls, including domestic violence, is, inter alia, a serious violation or abuse of human rights, a societal problem and a manifestation of unequal power relations, and is intrinsically linked with gender stereotypes that underlie and perpetuate such violence, while stressing that women's empowerment, including women's economic and political empowerment, full and equal access to and control over land and resources, and participation in decision-making processes, is essential for addressing the underlying causes of violence against women and girls,

Recognizing further the serious immediate and long-term implications for health, including psychological, physical, sexual and reproductive health, and the enjoyment of all human rights, that domestic violence against women of all ages can present for individuals and families,

Recognizing the vulnerability of those who suffer multiple and intersecting forms of discrimination, such as older women, indigenous women, migrant women and women with disabilities, and the particular risk of violence they face, and stressing the urgent need to address violence and discrimination against them,

Underscoring the fact that shame, stigma, fear of reprisals and negative economic consequences, such as loss of livelihood or reduced household income, prevent many women and girls from leaving dangerous relationships, reporting or acting as witnesses in cases of domestic violence, and seeking redress and justice for these crimes,

Noting with deep concern that children can also be victims of domestic violence, including as witnesses,

Recognizing that child, early and forced marriage places individuals, in particular the girl child, at risk of being exposed to and encountering various forms of discrimination and violence throughout their lives, including domestic violence,

Recognizing also that the risk and prevalence of violence against women and girls, including domestic violence, are exacerbated in armed conflict and humanitarian crisis situations,

1. *Stresses* that "violence against women" means any act of gender-based violence that results in, or is likely to result in, physical, sexual or psychological harm or suffering to women of any age and girls, including threats of such acts, coercion or arbitrary deprivation of liberty, whether occurring in public or in private life, and also notes the economic and social harm caused by such violence;

2. *Also stresses* that domestic violence can take many different forms, including physical, psychological and sexual violence, economic deprivation and isolation, and neglect, occurs within the family or domestic unit, and generally between individuals who are related through blood or intimacy;

3. *Strongly condemns* all forms of violence against women of all ages, including domestic violence, while recognizing that it is an impediment to achieving gender equality and to the full realization of all human rights of women, while expressing concern that domestic violence is the most prevalent and least visible forms of violence against women and girls and that its consequences are long lasting and profound and affect many areas in the lives of victims;

4. *Recognizes* that violence against women, including domestic violence, can take the form of an isolated act or pattern of abusive behaviour that may occur over a period of time, which as a pattern constitute violence against women, and can include acts such as cyberbullying and cyberstalking;

5. *Urges* States to strongly condemn all forms of violence against women and girls, and to refrain from invoking any custom, tradition or religious consideration to avoid their obligations with respect to its elimination, including harmful practices, such as child, early and forced marriage and female genital mutilation, as set out in the Declaration on the Elimination of Violence against Women;

6. *Underscores* that domestic violence is of public concern and that States have the primary responsibility for protecting and promoting the human rights of women and girls facing violence, including those facing domestic violence;

7. *Urges* States to support initiatives aimed at promoting gender equality and at preventing, responding to, and protecting women and girls from, domestic violence, undertaken by, inter alia, relevant women's and men's organizations, international and non-governmental organizations, the private sector, media, faith and community groups, religious leaders, parliamentarians, human rights defenders, including women human rights defenders, and other relevant civil society actors, as part of their efforts to develop targeted and accessible programmes and policies;

8. *Calls upon* States to take effective action to prevent domestic violence, including by:

(*a*) Publicly condemning, addressing and penalizing the perpetrators of offences involving physical, sexual and psychological violence and economic deprivation occurring in the family, which encompasses but is not limited to battering, sexual abuse of women and girls in the household, incest, dowry-related violence, marital rape, intimate partner

violence, femicide, female infanticide, crimes committed against women and girls in the name of so-called "honour", crimes committed in the name of passion, practices harmful to women and girls such as child, early and forced marriage, and female genital mutilation;

(*b*) Preventing violations and taking steps to prevent abuses of all human rights of women and girls, devoting particular attention to abolishing practices and legislation that discriminate against women and girls, eliminating prejudices, harmful practices and gender stereotypes and raising awareness of the unacceptability of violence against women and girls, including domestic violence, at all levels;

(*c*) Accelerating efforts to develop, review and strengthen inclusive policies, including by allocating adequate resources to address the structural and underlying causes of domestic violence against women and girls, to overcome gender stereotypes, to encourage media to examine the impact of gender-role stereotypes, including those perpetuated by commercial advertisements that foster gender-based violence and inequalities, to promote zero tolerance for such violence and to remove the stigma of being a victim and survivor of violence, thus creating an enabling and accessible environment where women and girls can easily report incidents of violence and make use of the services available, including protection and assistance programmes;

(*d*) Ensuring access to justice and effective remedies for domestic violence, to ensure accountability of perpetrators as a deterrent for domestic violence against women and girls;

(*e*) Promoting effective preventive measures at an early stage with women, families and children exposed to or at risk of domestic violence, such as parenting education and programmes and child counselling services, to reduce the risk of possible perpetration of violence or re-victimization;

(*f*) Emphasizing the important role that men and boys can play in preventing and eliminating violence against women and girls, and further developing and implementing measures that reinforce non-violent actions, attitudes and values, and encourage men and boys to take an active part and become strategic partners and allies in the prevention and elimination of all forms of violence and discrimination against women and girls, and the importance of effectively responding to violence against boys as well, in order to break intergenerational cycles of violence;

(*g*) Promoting primary prevention efforts with a coordinated range of mutually reinforcing strategies to drive a change in the culture, attitudes and behaviour that underpin violence against women and girls;

(*h*) Taking measures to empower women by, inter alia, strengthening their economic autonomy and ensuring their full and equal participation in society and in decision-making processes by adopting and implementing social and economic policies that guarantee women full and equal access to quality education, including comprehensive sexuality education,[1] and training and affordable and adequate public and social services, as well as full and equal access to financial resources and decent work, and full and equal

[1] Sexuality education is defined as an age-appropriate, culturally relevant approach to teaching about sex and relationships by providing scientifically accurate, realistic and non-judgemental information. Sexuality education provides opportunities to explore one's own values and attitudes and to build decision-making, communication and risk-reduction skills about many aspects of sexuality. United Nations Educational, Scientific and Cultural Organization, *International Technical Guidance on Sexuality Education: an evidence-informed approach for schools, teachers and health educators*, Paris, 2009, p. 2.

rights to own and have access to and control over land and other property, and guaranteeing women's and girls' inheritance rights;

9. *Also calls upon* States to take effective action to respond to domestic violence, including by:

(*a*) Adopting, strengthening and implementing legislation that prohibits such violence, including partner violence and marital rape, prescribes punitive measures and establishes adequate legal protection against such violence, including victim and witness protection from reprisals for bringing complaints or giving evidence;

(*b*) Ensuring women's and girls' unimpeded access to justice, effective legal assistance and information regarding their rights without discrimination so that they have access to just and effective remedies for the harm that they have suffered, including through, where necessary, the adoption of national legislation;

(*c*) Exercising due diligence to prevent, investigate and penalize all forms of violence against women and girls and to ensure accountability for acts of domestic violence, including by providing safe and appropriate complaint channels;

(*d*) Creating, developing and implementing a set of policies, and supporting the establishment of rehabilitative services, in order to encourage and bring changes in the attitudes and behaviour of perpetrators of violence against women and girls, and to reduce the likelihood of reoffending, including in cases of domestic violence, rape and harassment, as well as monitoring and assessing their impact and effect;

(*e*) Establishing comprehensive, coordinated, interdisciplinary, accessible and sustained multisectoral services, programmes and responses at all levels to provide immediate protection and support through which shelter and legal, health and psychological counselling and other services are available to all women facing or subjected to violence, and promoting collaboration and coordination among agencies;

(*f*) Providing training to relevant public officials in law enforcement, the administration of justice, and education and health sectors to be aware of, and responsive, sensitive and diligent with regard to the nature, incidence, underlying causes and short- and long-term impact of domestic violence;

10. *Urges* States to take effective action to protect victims of domestic violence, including by:

(*a*) Providing relevant, comprehensive victim-centered legal protections to support and assist victims of domestic violence within the framework of their national legal systems, including, as appropriate, legislative or other measures throughout the criminal and civil justice system, such as specialized courts, protection orders, the use of threat assessments and risk analysis tools, and provisions to address their special needs as witnesses, at all stages of investigations and judicial proceedings;

(*b*) Establishing comprehensive, coordinated, interdisciplinary, accessible and sustained multisectoral services, programmes and responses at all levels for all victims and survivors of all forms of violence against women and girls, including domestic violence, that are adequately resourced and include effective and coordinated action by, as appropriate, police and the justice sector, legal aid services, health-care services, including for sexual and reproductive health, and medical and psychological assistance and counselling services, as well as State and independent women's shelters and counselling centres, 24-hour hotlines, social aid services, one-stop crisis centres, child aid services, skills training and public housing services that would provide easy to reach and safe assistance for women and children, including women and girls with disabilities, as well as assistance, protection and support through access to long-term accommodation;

(*c*) Fulfilling their obligations at all levels to promote and protect all human rights and fundamental freedoms, including those of women and girls, and exercising due diligence to prevent, investigate, prosecute and hold to account perpetrators, and to eliminate impunity and provide for access to appropriate remedies for victims and survivors, and should ensure the protection and empowerment of women and girls, including through adequate enforcement by police and the judiciary of civil remedies, orders of protection and criminal sanctions;

(*d*) Establishing and/or strengthening police and health workers' response protocols and procedures to ensure that all appropriate actions are taken to protect victims of domestic violence and to prevent further acts of domestic violence;

11. *Also urges* States to ensure the promotion and protection of the human rights of all women and their sexual and reproductive health and reproductive rights, in accordance with the Programme of Action of the International Conference on Population and Development, the Beijing Platform for Action and the outcome documents of their review conferences, including through the development and enforcement of policies and legal frameworks and the strengthening of health systems that make universally accessible and available quality, comprehensive sexual and reproductive health-care services, commodities, information and education, including, inter alia, safe and effective methods of modern contraception, emergency contraception, prevention programmes for adolescent pregnancy, maternal health care, such as skilled birth attendance and emergency obstetric care, which will reduce obstetric fistula and other complications of pregnancy and delivery, safe abortion where such services are permitted by national law, and prevention and treatment of reproductive tract infections, sexually transmitted infections, HIV and reproductive cancers, recognizing that human rights include the right to have control over and decide freely and responsibly on matters related to their sexuality, including sexual and reproductive health, free from coercion, discrimination and violence;

12. *Encourages* States to improve the collection, harmonization and use of data disaggregated by sex, administrative data, including, where appropriate, from the police, the health sector and the judiciary, on incidents of violence against women and girls, including domestic violence, such as data on the relationship between the perpetrator and victim and geographic location, ensuring that confidentiality and ethical and safety considerations are taken into account in the process of data collection, and improving the effectiveness of the services and programmes provided and protecting the safety and security of the victim;

13. *Reaffirms* the importance of a stand-alone goal on achieving gender equality and the empowerment of women and girls, including a target on eliminating all forms of violence against all women and girls in the public and private spheres by 2030, and looks forward to the integration of a gender perspective into the post-2015 development agenda and the mainstreaming of gender equality and women's empowerment into all sustainable development goals, as reflected in the report of the Open Working Group on Sustainable Development Goals,[2] which is the main basis for integrating sustainable development goals into the post-2015 development agenda, while recognizing that other inputs will also be considered;

14. *Welcomes* the mandate and the work of the Special Rapporteur on violence against women, its causes and consequences, and takes note of the thematic report on regional initiatives to combat violence against women;[3]

[2] See General Assembly resolution 68/309, and A/68/970 and Corr.1.

[3] A/HRC/29/27.

15. *Notes* that, in its report,[4] the Working Group on the issue of discrimination against women in law and in practice underlines the pervasiveness of domestic violence and the negative impact it has on women and on society as a whole;

16. *Welcomes* the panel discussion on domestic violence against women and girls, held during the annual full-day discussion on women's human rights at the twenty-ninth session of the Human Rights Council, and requests the Office of the United Nations High Commissioner for Human Rights to present a summary report on the discussion to the Council at its thirtieth session;

17. *Decides* to continue its consideration of the issue of the prevention and elimination of all forms of violence against women and girls, its causes and consequences as a matter of high priority and in conformity with its annual programme of work.

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[4] A/HRC/29/40.